

IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

IN RE:

Dan R Williams

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BCN#: 18-11568-BFK

Chapter 11

OBJECTION OF ABS REO Trust VI  
TO CONFIRMATION OF DEBTOR'S PROPOSED  
PLAN OF REORGANIZATION

COMES NOW, ABS REO Trust VI, a secured creditor of the Debtors, by Counsel, and in support of its objection to confirmation of the Debtor's Proposed Plan of Reorganization, respectfully states as follows:

1) That ABS REO Trust VI is a secured creditor of the Debtor based upon a Note dated March 21, 2008 in the original principal amount of \$956,500.00 which note is secured by a Deed of Trust even date on the property located at 1347 Kirby Rd, Mc Lean, VA 22101.

2) That the amount due and owing by the Debtor to Select Portfolio Servicing, Inc. on account of the obligation described above was \$897,530.84 as of May 1, 2018, based on a Proof of Claim dated August 28, 2018, and filed with this Court on or about August 28, 2018.

3) That ABS REO Trust VI objects to the Debtor's Proposed Plan of Reorganization on the following grounds:

a) That the Debtor's Proposed Plan of Reorganization does not comply with Section 1129 (a) (8) of the Bankruptcy Code in that Class C, of which ABS REO Trust VI is the sole member, is an impaired class that has not accepted the Debtor's Plan of Reorganization.

b) That the Debtor's Proposed Plan does not comply with Section 1129 (a) (10) because, to the best of this secured creditor's knowledge, no impaired class has voted in favor of the Proposed Plan of Reorganization.

c) That the Debtor's Proposed Plan of Reorganization is not "fair and equitable" to the Class C creditor, of which ABS REO Trust VI is the sole member, based on the fact that the Plan of Reorganization does not contemplate a proposed payback period for the outstanding arrears presently owing to ABS REO Trust VI. The Debtors are presently due for their September 1, 2017 mortgage payment. The present monthly payment is \$2,052.20.

WHEREFORE, ABS REO Trust VI, a secured creditor of the Debtor, respectfully prays that the court deny confirmation of the Debtor's Proposed Plan of Reorganization.

ABS REO Trust VI

By: /s/ Nicole McKenzie  
of Counsel

LAW OFFICES OF  
Shapiro & Brown, LLP  
10021 Balls Ford Road, Suite 200  
Manassas, Virginia 20109  
phone (703) 449-5800

By: /s/ Nicole McKenzie  
Malcolm B. Savage, III, Esquire VSB #91050  
William M. Savage, Esquire VSB #26155  
Mary F. Balthasar Lake, Esquire VSB #34899  
Gregory N. Britto, Esquire VSB #23476  
Nicole McKenzie, Esquire VSB #93990

CERTIFICATE OF SERVICE

I certify that I have this 28th day of January, 2020, electronically transmitted and/or mailed by first class mail, postage pre-paid or hand-delivered a true copy of the foregoing Objection to Confirmation of the Debtor's Plan of Reorganization to the following:

Dan R Williams  
1347 Kirby Rd  
Mc Lean, VA 22101

- Debtor(s)

John P. Fitzgerald, III  
Office of the U.S. Trustee - Region 4  
1725 Duke Street  
Suite 650  
Alexandria, VA 22314

- United States Trustee

Daniel M. Press  
Chung & Press, PC  
6718 Whittier Avenue, Suite 200  
McLean, VA 22101

- Debtors' Attorney

/s/ Nicole McKenzie  
Gregory N. Britto, Esquire  
Malcolm B. Savage, III, Esquire  
William M. Savage, Esquire  
Mary F. Balthasar Lake, Esquire  
Nicole McKenzie, Esquire

19-280402